

**UNITED STATES COURT OF APPEALS  
FOR THE  
SECOND CIRCUIT**

At a Stated Term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 24<sup>th</sup> day of March, two thousand and seventeen.

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Anthony Battisti,

**ORDER**

Plaintiff - Appellant,

Docket No. 17-323

v.

Kathleen Rice, individually, ADA Michael Canty, individually, ADA Carolyn Kelly, individually, Detective Jason Gaertner, individually, Sergeant Robert Galgano, individually, The County of Nassau,

Defendants - Cross Claimants - Appellees,

Timothy Gersbeck,

Defendant - Cross Defendant - Appellee.

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Counsel for Appellant has filed a scheduling notification pursuant to the Court's Local Rule 31.2, setting June 1, 2017, as the brief/appendix filing date. The date selected exceeds the time allowed by the Rule.

IT IS HEREBY ORDERED that Appellant's brief must be filed on or before May 18, 2017. The appeal is dismissed effective May 18, 2017, if the brief is not filed by that date. A motion to extend the time to file the brief or to seek other relief will not toll the filing date. See Local Rule 27.1(f)(1); cf. *RLI Insurance Co. v. JDJ Marine, Inc.*, 716 F.3d 41, 43-45 (2d Cir. 2013).

For the Court:

Catherine O'Hagan Wolfe,  
Clerk of Court

  
Catherine O'Hagan Wolfe